

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

UNITED STATES OF AMERICA

vs.

DWAINE CARAWAY (01)

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CASE NUMBER 3:18-CR-409-M

**DEFENDANT'S SECOND UNOPPOSED MOTION FOR CONTINUANCE
TO THE HONORABLE JUDGE OF SAID COURT:**

NOW COMES, Dwaine Caraway, Defendant in the above styled-number case, and files this Second Unopposed Motion For Continuance of the Sentencing Hearing date and would respectfully show the Court as follows:

I.

The case is currently set for sentencing on **February 8, 2019 at 1:30 p.m.** Defense counsel and Mr. Andrew Wirmani, Assistant United State Attorney met on November 19, 2018 to discuss the Pre-Sentencing Report and other matter related to this case. During that meeting the parties agreed to the filing and granting of this motion as well as the reset of all deadlines related to the Pre-Sentence Investigation Report for the ground stated below:

1. Mr. Andrew Wirmani, Assistant United States Attorney in charge of this case is scheduled to start a trial in January 2019 that in all likelihood will create a conflict with the current sentencing date and other related deadlines.
2. The Pre-Sentence Investigation Report in this matter is rather complex and Defendant needs additional time to properly evaluate the report and file his objections, if any.

As such, the Parties request that this Honorable court, continue the sentencing date from February 8, 2019 to a date in April or May 2019, and also reset any and all deadline as they relate to the Pre-Sentencing Report accordingly.

Attorney for the United States is not opposed to this request as evidenced by the certificate of conference below.

II.

This motion is not made for the purpose of delay, but so that justice may be done.

III.

WHEREFORE, Defendant prays this Unopposed Motion be granted and that the sentencing in this case be reset to another date in **April or May 2019**.

Respectfully submitted,

PAYMA, KUHNEL & SMITH, P.C.

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/s/ **Michael D. Payma**

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CERTIFICATE OF CONFERENCE

I hereby certify that on November 19, 2018, I personally met with and spoke with Mr. Andrew Wirmani, Assistant United State Attorney regarding this motion, and he stated that was **UNOPPOSED** to the granting of this motion.

/s/ Michael D. Payma
MICHAEL D. PAYMA

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing has been forwarded to Assistant United States Attorney in charge of this case, on November 27, 2019, utilizing the ECF system which sent notification of the filing and a link to an electronic copy the document to all parties that participated in the ECF system.

/s/ Michael D. Payma
Michael D. Payma